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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ROBERTO I. ALVARO, an individual,

Plaintiff,

v.

REY REY PRODUCE SFO, INC., a California Corporation; REY & REY PRODUCE, INC., a California corporation; MANUEL REYNOSO, an individual,

Defendants.

CASE NO. C 07-01685 JSW

**STIPULATION FOR  
CONTINUANCE OF CASE  
MANAGEMENT CONFERENCE;  
[PROPOSED] ORDER THEREON**

CMC Date: June 29, 2007  
CMC Time: 1:30 p.m.  
Before: Honorable Jeffrey S. White  
Courtroom: Courtroom 2, 17<sup>th</sup> Floor

Plaintiff ROBERTO I. ALVARO (“ALVARO” or “PLAINTIFF”) and Defendants REY REY PRODUCE SFO, INC., REY & REY PRODUCE, INC., and MANUEL REYNOSO (“DEFENDANTS”), by and through their counsel of record, hereby stipulate as follows:

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2       (i) WHEREAS, PLAINTIFF filed a Complaint against DEFENDANTS on  
3 March 23, 2007;

4       (ii) WHEREAS, DEFENDANTS filed a Motion to Dismiss the Complaint in  
5 its entirety on April 18, 2007;

6       (iii) WHEREAS, PLAINTIFF filed Opposition to DEFENDANTS' Motion to  
7 Dismiss on May 11, 2007;

8       (iv) WHEREAS, DEFENDANTS filed a Reply to the Opposition to the Motion  
9 to Dismiss on May 18, 2007;

10      (v) WHEREAS, a hearing on DEFENDANTS' Motion to Dismiss was held on  
11 June 1, 2007 before the Honorable Jeffrey S. White, U.S. District Court Judge;

12      (vi) WHEREAS, the Honorable Jeffrey S. White set a supplemental briefing  
13 schedule on certain limited issues, which provided for submission of an opening brief by  
14 PLAINTIFF on or before July 2, 2007; an opposition brief by DEFENDANTS on or  
15 before July 16, 2007; and a reply brief by PLAINTIFF on or before July 23, 2007, at  
16 which time the matter will be deemed under submission with a written ruling to follow;

17      (vii) WHEREAS, in light of the jurisdictional issues being addressed in the  
18 supplemental briefing schedule in connection with DEFENDANTS' Motion to Dismiss,  
19 the parties believe that continuing the Case Management Conference ("CMC") would be  
20 the most efficient use of the Court's time and resources, and therefore good cause exists  
21 for continuing the CMC until a date and time after the reply brief is submitted on July 23,  
22 2007 and after the Court issues its written ruling on DEFENDANTS' Motion to Dismiss;

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1 IT IS HEREBY STIPULATED, by, between and among the parties hereto, that  
2 the CMC shall be continued until a date and time to be set by the Court after PLAINTIFF  
3 submits its reply brief on or before July 23, 2007 and after the Court issues a written  
4 ruling on DEFENDANTS' Motion to Dismiss.

5  
6 IT IS SO STIPULATED.  
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8 DATED: June 21, 2007

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10  
11 LAW OFFICE OF GREENE, CHAUVEL,  
12 DESCALSO & MINOLETTI

13  
14 By: /s/  
15 BRANDON L. REEVES, Attorneys for  
16 PLAINTIFF  
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22 DATED: June 21, 2007

23 RYNN & JANOWSKY, LLP

24  
25 By: /s/  
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## ORDER

Having read and considered the foregoing Stipulation, and good cause appearing, therefore,

IT IS HEREBY ORDERED that the CMC currently on calendar for June 29, 2007 at 1:30 p.m. shall be continued until a date and time to be set by the Court after PLAINTIFF submits the reply brief due on July 23, 2007 and after the Court issues a written ruling on DEFENDANTS' Motion to Dismiss.

June 25, 2007

**JEFFREY S. WHITE**  
**UNITED STATES DISTRICT JUDGE**